

SHANKS & HERBERT

Intellectual Property Advocates

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January 30, 2002

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Re: U.S. Patent Application
Serial No.: To Be Assigned
Filed: January 30, 2002
Priority Claimed Under Korean Patent Appl. No. 2001-43450
Filing Date: July 19, 2001
For: **A Method For Identifying Mycobacterium Tuberculosis And
Mycobacteria Other Than Tuberculosis, Together With
Detecting Resistance To An Antituberculosis Drug Of
Mycobacteria Obtained By Mutation of RPOB Gene**
Inventors: Lee, et al.
Attorney Docket No.: 0217-0008

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. Transmittal Letter;
2. Application cover letter;
3. Application consisting of: 21 pages of specification, 3 pages of claims, 1 page of abstract and 7 pages of drawings;
4. Executed Declaration and Power of Attorney;
5. English translation of Original Priority Document;
6. One (1) marked up version of the English translation of Original Priority Document;
7. Submission of Substitute Specification Under 37 C.F.R. § 1.125;
8. Assignment cover sheet; and Executed Assignment;
9. Statement to Support Filing and Submission in Accordance with 37 C.F.R. §§ 1.821-1.825;
10. Submission of Sequence Listing Under 37 C.F.R. § 1.821(a);
11. Paper copy of sequence listing and diskette containing sequence listing;
12. Claim for Priority Under 35 U.S.C. § 119 in Utility Application with Priority document;
13. Verified Statement (Declaration Claiming Small Entity Status (37 C.F.R. 1.9(f) and 1.279(c) – Small Business Concern;
14. Check in the amount of \$622.00 (application filing fee and assignment recordation fee);
15. Two (2) return postcards.

West Coast Office

4350 La Jolla Village Drive, Suite 330, San Diego, Ca 92122
Telephone: (858) 597-6688 Facsimile: (858) 597-6682

jc972 U.S. PTO
10/058422
01/30/02

The PTO did not receive the following
listed item(s) ~~two return postcard~~
we receive one postcard only

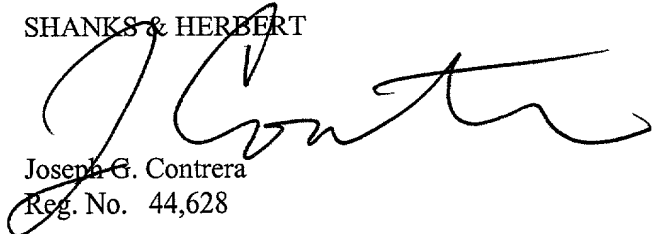
30 January, 2002

Page 2

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

Respectfully submitted,

SHANKS & HERBERT


Joseph G. Contrera
Reg. No. 44,628

20020122 224300T

SHANKS & HERBERT

TransPotomac Plaza
1033 N. Fairfax St.
Suite 306
Alexandria, VA 22314
(703) 683-3600

Assistant Commissioner for Patents
Washington, D.C. 20231

Attn. Box Patent Application

Sir:

Atty. Docket No. 0217-0008

Transmitted herewith for filing is the patent application of:

Inventors: Lee, et al.

For: **A METHOD FOR IDENTIFYING MYCOBACTERIUM TUBERCULOSIS AND MYCOBACTERIA OTHER THAN TUBERCULOSIS, TOGETHER WITH DETECTING RESISTANT TO AN ANTITUBERCULOSIS DRUG OF MYCOBACTERIA OBTAINED BY MUTATION OF RPOB GENE**

Enclosed are:

- ☒ Seven (7) sheets of drawings.
- ☒ An assignment of the invention to Xeniss Life Science Co., Ltd.
- ☐ A certified copy of a _____ application
- ☐ An associate power of attorney.
- ☒ A verified statement to establish small entity status under 37 C.F.R. §§ 1.9 and 1.27.

The filing fee has been calculated as shown below:

	(Col. 1)	(Col. 2)
For	No. Filed	No. Extra
Basic Fee		
Total Claims	14-20 =	0
Indep. Claims	9-3 =	6
<input type="checkbox"/> Multiple Dependent Claim Presented		
If the difference in Col. 1 is less than zero, enter "0" in Col. 2		

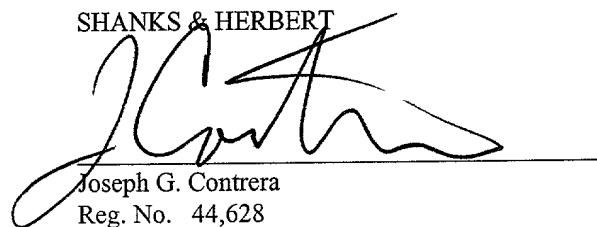
SMALL ENTITY	
Rate	Fee
	\$370
x 9 =	0
x 42 =	252
+ 140 =	
Total	\$622

LARGE ENTITY	
Rate	Fee
	\$740
x 18 =	
x 84 =	
+ 280 =	
Total	

- ☐ Please charge Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is attached.
- ☒ A check in the amount of \$622.00 to cover the filing fee is enclosed
- ☒ The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. **50-0622**. A duplicate copy of this sheet is attached.
 - ☒ Any additional filing fees required under 37 C.F.R. § 1.16.
 - ☐ Any patent application processing fees under 37 C.F.R. § 1.17.
- ☐ The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. _____. A duplicate copy of this sheet is enclosed.
 - ☐ Any patent application processing fees under 37 C.F.R. § 1.17
 - ☐ The issue fee set in 37 C.F.R. § 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. § 1.311(b)
 - ☐ Any filing fees under 37 C.F.R. § 1.16 for presentation of extra claims.

Respectfully submitted,

SHANKS & HERBERT


Joseph G. Contrera
Reg. No. 44,628

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Lee et al.

Serial No. To Be Assigned

Filed: January 30, 2002

For: **A Method For Identifying Mycobacterium
Tuberculosis And Mycobacteria Other Than
Tuberculosis, Together With Detecting Resistance
To An Antituberculosis Drug Of Mycobacteria
Obtained By Mutation of RPOB Gene**

Art Unit: To Be Assigned

Examiner: To Be Assigned

Atty. Docket: 0217-0008

SUBMISSION OF SUBSTITUTE SPECIFICATION UNDER 37 C.F.R. § 1.125

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Prior to examination of the above-identified application, Applicant(s) herewith respectfully submits the attached substitute specification as replacement for the attached English translation of the original priority document.

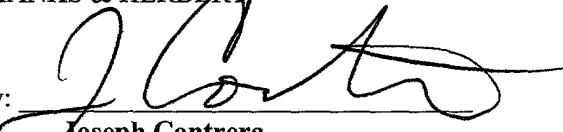
In accordance with 37 C.F.R. § 1.125(b)(1), this submission includes no new matter.

Also in accordance with 37 C.F.R. § 1.125(b)(2), this submission includes marked up versions of the substitute specification showing all the changes (including the matter being added to and the matter being deleted from) to the English translation of the original priority document.

Respectfully submitted,

SHANKS & HERBERT

By:


Joseph Contrera
Reg. No. 44,628

Date: 1/30/02
TransPotomac Plaza
1033 N. Fairfax Street, Suite 306
Alexandria, VA 22314
(703) 683-3600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Lee et al.

Serial No.: To Be Assigned

Filed: January 30, 2002

Art Unit: To Be Assigned

Examiner: To Be Assigned

Atty. Docket: 0217-0008

**For: A METHOD FOR IDENTIFYING
MYCOBACTERIUM TUBERCULOSIS AND
MYCOBACTERIA OTHER THAN
TUBERCULOSIS, TOGETHER WITH
DETECTING RESISTANCE TO AN
ANTITUBERCULOSIS DRUG OF
MYCOBACTERIA OBTAINED BY
MUTATION OF RPOB GENE**

**STATEMENT TO SUPPORT FILING AND SUBMISSION IN
ACCORDANCE WITH 37 C.F.R. §§ 1.821-1.825**

Assistant Commissioner for Patents
Washington, D.C. 20231
Box SEQUENCE

Sir:

In connection with a Sequence Listing submitted concurrently herewith, the undersigned hereby states that:

1. the submission, filed herewith in accordance with 37 C.F.R. § 1.821(g), does not include new matter;
2. the content of the attached paper copy and the attached computer readable copy of the Sequence Listing, submitted in accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the same; and
3. all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these

statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent resulting therefrom.

Respectfully submitted,

SHANKS & HERBERT

By: 

Joseph G. Contrera
Reg. No. 44,628

Date: 1/30/02

TransPotomac Plaza
1033 N. Fairfax Street
Suite 306
Alexandria, VA 22314
(703) 683-3600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Lee et al.

Art Unit: To Be Assigned

Serial No.: To Be Assigned

Examiner: To Be Assigned

Filed: January 30, 2002

Atty. Docket: 0217-0008

For: **A METHOD FOR IDENTIFYING
MYCOBACTERIUM TUBERCULOSIS AND
MYCOBACTERIA OTHER THAN
TUBERCULOSIS, TOGETHER WITH
DETECTING RESISTANCE TO AN
ANTITUBERCULOSIS DRUG OF
MYCOBACTERIA OBTAINED BY
MUTATION OF RPOB GENE**

**SUBMISSION OF SEQUENCE LISTING
UNDER 37 C.F.R. § 1.821(a)**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In compliance with 37 C.F.R. § 1.821(a), Applicants submit the Sequence Listing, including the paper copy of the Sequence Listing and the computer readable copy of the Sequence Listing.

In the Specification:

Please enter the Sequence Listing between the specification and the claims of the above-identified application.

REMARKS

In accordance with 37 C.F.R. § 1.821(f), the paper copy of the Sequence Listing and the computer readable copy of the Sequence Listing submitted herewith in the above application are the same.

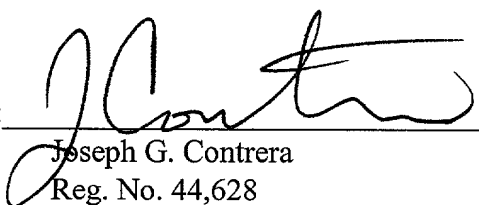
In accordance with 37 C.F.R. § 1.821(g), this submission includes no new matter.

It is respectfully believed this application is now in condition for allowance.

Early notice to this effect is earnestly solicited.

Respectfully submitted,

SHANKS & HERBERT

By: 
Joseph G. Contrera
Reg. No. 44,628

Date: 1/30/02

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